

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

PHILIP A. WERTS,

Plaintiff,

v.

Civil Action No. **3:11CV809**

L. WILLIAMS, *et al.*,

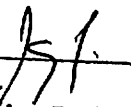
Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on December 28, 2011, the Court conditionally docketed Plaintiff's action. The December 28, 2011 Memorandum Order warned Plaintiff that the Court would dismiss the action if he failed to keep the Court informed of his current address. On March 15, 2013, United States Postal Service returned a February 25, 2013 Memorandum Order to the Court marked, "RETURN TO SENDER," "UNDELIVERABLE AS ADDRESSED," and "UNABLE TO FORWARD." Since that date, Plaintiff has not contacted the Court to provide a current address. Plaintiff's failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 5/7/13
Richmond, Virginia

<p>/s/  John A. Gibney, Jr. United States District Judge</p>
